

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:16-cr-00002-MR

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                            ORDER  
                                  )  
BARRY CARLTON TAYLOR,     )  
                                  )  
Defendant.                    )  
                                  )  
\_\_\_\_\_

**THIS MATTER** is before the Court on the Defendant's motion for the appointment of counsel [Doc. 57].

The Defendant moves for the appointment of counsel to represent him in connection with filing a motion for compassionate release.<sup>1</sup> The Defendant has no constitutional right to the appointment of counsel to file post-conviction motions. Lawrence v. Florida, 549 U.S. 327, 336-37 (2007) (citing Coleman v. Thompson, 501 U.S. 722, 756-57 (1991)); Rouse v. Lee, 339 F.3d 238, 250 (4<sup>th</sup> Cir. 2003), cert. denied, 541 U.S. 905 (2004) (citing Pennsylvania v. Finley, 481 U.S. 551, 555-56 (1987) (no constitutional right

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<sup>1</sup> The Court denied the Defendant's motion for compassionate release without prejudice on October 9, 2020. [Doc. 59].

to counsel beyond first appeal of right)). The Court may, in some circumstances, appoint counsel to represent a prisoner when the interests of justice so require and the prisoner is financially unable to obtain representation. See 18 U.S.C. § 3006A(a)(2)(B). In the instant case, however, the Defendant has failed to demonstrate that the interests of justice warrant the appointment of counsel. See United States v. Riley, 21 F. App'x 139, 141-42 (4th Cir. 2001).

**IT IS, THEREFORE, ORDERED** that the Defendant's motion for the appointment of counsel [Doc. 57] is **DENIED**.

**IT IS SO ORDERED.**

Signed: October 14, 2020



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Martin Reidinger  
Chief United States District Judge

